

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Brion Finlay and all other similarly
situated,

Case No. 20-cv-1105-SRN-DTS

Plaintiff,

vs.

MyLife.com Inc.

Defendant.

**DEFENDANT MYLIFE.COM,
INC.'S MOTION TO DISMISS
UNDER FED. R. CIV. P. 12(b)(1)
AND 12(b)(6)**

Defendant MyLife.com Inc. (“MyLife”) moves the Court, the Honorable Susan R. Nelson presiding, for an Order dismissing this action against MyLife, with prejudice, for lack of subject-matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1) or, in the alternative, for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6).

This motion is based on all of the files, records, and proceedings herein together with the memorandum of law, declaration of Eric M. Roberts, and supporting materials submitted in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court.

Dated: August 21, 2020

FELHABER LARSON,

By: /s/ Richard Voelbel

Richard R. Voelbel, #0387091
220 South Sixth Street, Suite 2200
Minneapolis, Minnesota 55402
T: 612.339.6321
rvoelbel@felhaber.com

DLA PIPER LLP (US)

Raj N. Shah (*pro hac vice* pending)
Eric M. Roberts (*pro hac vice* pending)
444 West Lake Street, Suite 900
Chicago, Illinois 60606
T: 312.368.4000
raj.shah@dlapiper.com
eric.roberts@dlapiper.com

**ATTORNEYS FOR MYLIFE.COM
INC.**